

1940

MUNICIPAL CODE
OF
EVANSVILLE
1940

Compiled and edited by
LOUIS L. ROBERTS, City Attorney,
and assistants.

EXTRACT

Page 123

CHAPTER 12

RADIO

Section.

- 3-1201. Radio Interference
- 3-1202. Co-operation with authorities
- 3-1203. Discontinue interference.

Section.

- 3-1204. Licensed broadcasting.
- 3-1299. Penalty

3-1201. RADIO INTERFERENCE.--It shall be unlawful for any person to operate within the city of Evansville any generator of electromagnetic waves or disturbance, or any device, machine, machines, equipment, appliances or apparatus generating or causing high frequency oscillations or radiations, detectable by radio receiving apparatus and of such magnitude as to interfere within the city of Evansville, with the proper functioning of the radio communicating system utilized by the police department of the city of Evansville, or with radio broadcast receiving apparatus or with the transmission or reception of any program broadcast by radio.

3-1202. CO-OPERATION WITH AUTHORITIES.--When in the opinion of any qualified representative of the radio division of the police department of the city of Evansville, any device, machines, equipment, appliance or apparatus within the city of Evansville is generating electromagnetic waves or disturbance, or generating or causing high frequency oscillations or radiations, of such magnitude as to cause interference within the city of Evansville with the radio communicating system utilized by the police department of the city of Evansville, or with radio broadcast receiving apparatus, or with the transmission or reception of any program broadcast by radio, said representative shall report the same to the chief of police and said chief of police shall cause written notice to be served upon the owner, operator or person in charge of the device, machine, machines, equipment, appliance or apparatus, setting forth the basis of the complaint, and thereupon it shall be the duty of said owner, operator or person in charge to co-operate with said chief of police in determining by actual demonstration thereof whether such device, machine, machines, equipment, appliance or apparatus is in fact interfering within the city of Evansville with the proper functioning of the radio communicating system of the police department of Evansville, or with radio broadcast receiving apparatus, or with the transmission or reception of any program broadcast by radio.

3-1203. DISCONTINUE INTERFERENCE.--If upon said demonstration it is found by said chief of police that any such device, machine, machines, equipment, appliance or apparatus is causing interference of such magnitude as to interfere within the city of Evansville with the proper functioning of the radio communicating system of the police department of Evansville, or with radio broadcast receiving apparatus, or with the transmission or reception of any program broadcast by radio, it shall be the duty of said owner, operator or person in charge within thirty (30) days after written notice has been served upon the said owner, operator or person in charge to entirely abate and discard the operation of such device, machine, machines, equipment, appliances or apparatus, unless in the judgment of said chief of police the device, machine, machines, equipment, appliance or apparatus can be adequately and practically filtered, shielded or otherwise remodeled so as to prevent such interference, in which event it shall be the duty of such owner, operator or person in charge within the said thirty (30) days to properly shield, filter or otherwise remodel such device, machine, machines, equipment, appliances or apparatus so as to prevent said interference.

3-1204. LICENSED BROADCASTING.--This chapter shall not be held or construed to embrace or cover the regulation of any transmitting, broadcasting, or receiving instrument, apparatus or device used or useful in interstate commerce, the operation of which instrument, apparatus or device is licensed or authorized by or under the provisions of an act of Congress of the United States.

3-1299. PENALTY.--Any person violating any of the provisions of this chapter shall, upon conviction thereof, be fined any sum not more than three hundred dollars (\$300), to which may be added imprisonment for a term not exceeding one hundred eighty (180) days. Every day any such violation shall occur shall constitute a separate offense.